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9 THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

11 UNITED STATES FIRE INSURANCE) CASE NO. C 05 1203 MMC
12 COMPANY,)
13 Plaintiff,) STIPULATION AND ~~PROPOSED~~
14 vs.) ORDER TO STAY ACTION
15 THE ROMAN CATHOLIC BISHOP OF)
16 OAKLAND, a corporate sole,)
17 Defendant.)
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20 Plaintiff UNITED STATES FIRE INSURANCE COMPANY ("US FIRE") and
21 defendant THE ROMAN CATHOLIC BISHOP OF OAKLAND ("the DIOCESE")
22 (collectively "the parties") by and through their attorneys of record identified below
23 hereby enter into the following Stipulation to Stay Action:

24 WHEREAS, there are multiple related, pending actions filed by individuals
25 against the DIOCESE in the process of settling;

26 WHEREAS, since at least February 2005, under the oversight of Judge Ronald
27 Sabraw with the Alameda Superior Court, these cases against the Oakland Diocese
28 have been the subject of extensive settlement negotiations;

1 WHEREAS Judge David Hunter of the Alameda Superior Court is actively
2 meeting with the parties in the underlying cases and based upon this the parties in this
3 lawsuit are reasonably optimistic that the underlying suits may settle;

4 WHEREAS, the parties want to give the underlying actions a fair opportunity to
5 settle before incurring fees and costs in this action;

6 WHEREAS, if the underlying suits settle, this litigation will not be necessary; and

7 WHEREAS, staying this action for three months will give the underlying actions a
8 reasonable amount of additional time to settle after which time, if there is no settlement,
9 the case can proceed.

10 NOW, THEREFORE, IT IS HEREBY AGREED, STIPULATED AND ORDERED
11 THAT:

12 1. All proceedings in this action shall be stayed until October 1, 2005. All
13 previously set dates shall be taken off calendar, including the case management
14 conference scheduled for July 22, 2005.

15 2. The parties' last day to meet and confer pursuant to Rule 26(f) of the
16 Federal Rules of Civil Procedure shall be moved to **October 3, 2005**.

17 3. The parties' last day to serve their initial disclosures pursuant to Rule
18 26(a)(1) and to file and serve their discovery plan pursuant to Rule 26(f) shall be
19 **October 14, 2005**.

20 4. A case management conference shall be held on October 21, 2005 ~~(date
21 to be determined by the Court)~~.

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3 CONSENTED TO BY:

4 Dated: June 24, 2005

GORDON & REES, LLP

By:

SARA M. THORPE
Attorney for Plaintiff
UNITED STATES FIRE INSURANCE
COMPANY

9 | Dated: June 24, 2005

FOLEY & LARDNER, LLP

By:

ROBERT C. LEVENTHAL
Attorney for Defendant
THE ROMAN CATHOLIC BISHOP OF
OAKLAND

14 | IT IS SO ORDERED.

16 DATED: June 27, 2005



THE HON. MAXINE M. CHESNEY